

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

LINDA SULLIVAN,

Plaintiff,

v.

EXPERIAN INFORMATION SOLUTIONS,
INC., TRANS UNION LLC, CAPITAL ONE
USA NA, HSBC BANK, GE MONEY BANK
d/b/a GEMB WAL-MART

Defendant.

Case No. 1:11-cv-362

Judge Mattice

ORDER

After significant delay by certain attorneys in pursuing admission *pro hac vice* or the substitution of counsel admitted to practice before this Court, on January 6, 2012, this Court issued an Order (Doc. 43) directing counsel for the delinquent parties – Plaintiff and Defendants Experian Information Solutions, Inc. (“Experian”) and Capital One USA NA (“Capital One”) – to appear before this Court to show cause for their failure to comply with the local rules of this Court.

Since that Order was entered, two of the three delinquent parties – Experian and Capital One – have filed responses to the show cause order (Docs. 46 & 60, respectively), and all three are now represented by attorneys who either are admitted to practice before this Court. See (Doc. 48, 62, & 63, Orders Granting *Pro Hac* Mots. of Experian's Atty. Hardeman, Pl.'s Atty. Novak, and Capital One's Atty. Threadcraft, respectively.)

As the issues that prompted the Court's January 6, 2012 Order (Doc. 43) appear to have been resolved, the Court finds that conducting a hearing would not be an efficient use of its time, and the hearing set for February 3, 2012 at 10:00 a.m. is hereby **CANCELLED**.

This Order does not affect the Rule 16 Scheduling Conference, and the parties are still **ORDERED TO APPEAR** for that conference on **February 3, 2012** at **10:00 a.m.** in Chambers, Room 104, 900 Georgia Avenue, Chattanooga, Tennessee. Per this Court's January 18, 2012 Order (Doc. 47) and January 25, 2012 Order (Doc. 57), Attorneys Hardeman and Gobeyn will be participating by telephone, although instead of calling them, the Court will e-mail the parties with a call-in number.

As noted in the Court's previous orders, the purposes of this conference will be to discuss the possibility of settlement and to set a schedule for the expeditious management of the case, and so all attorneys who are to be actively involved in this case are expected to be present in person.

Finally, it appears as though Attorney Wall appeared in this case as Plaintiff's local counsel when the matter was pending in California, and so with Attorney Novak's admission *pro hac vice*, his involvement in this case may be over. (Doc. 23, Application of Non-resident Atty. to Appear in a Specific Case.) Therefore, Attorneys Novak and Wall are hereby **ORDERED** to file a motion resolving his status – be it a motion to substitute counsel, a motion for leave to appear *pro hac vice*, or a motion to withdraw as counsel – on or before **February 20, 2012**.

SO ORDERED this 1st day of February, 2012.

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE